

**MINUTE ENTRY
TERRY A. DOUGHTY
U.S. DISTRICT JUDGE
September 19, 2019**

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION**

TOTAL REBUILD, INC.

CIVIL ACTION NO. 6:15-01855

VERSUS

JUDGE TERRY A. DOUGHTY

PHC FLUID POWER, LLC

MAG. JUDGE CAROL WHITEHURST

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On September 17, 2019, Plaintiff filed a Motion to Set Hearing on Defendant's Rule 11 Motion [Doc. No. 396]. The Court denied that motion, stating that the parties may submit any proposed testimony by Affidavits, but the Court did not specify a deadline for the filing of Affidavits [Doc. No. 398]. That deadline is hereby fixed as September 25, 2019.

On September 13, 2019, the Court issued its Preliminary Findings of Fact and Conclusions of Law [Doc. No. 388] and therein directed Defendant to file its motion for attorney fees under 35 U.S.C. § 285 no later than September 18, 2019 and directed Plaintiff to file a response no later than September 25, 2019. On September 18, 2019, Defendant filed its motion for attorney fees under 35 U.S.C. § 285 [Doc. No. 399] and additionally filed a motion for attorney fees, expenses, and costs under 28 U.S.C. § 1927 [Doc. No. 401]. A Notice of Motion Setting [Doc. No. 402] was issued as to both motions which gave a conflicting date for Plaintiff to file its response to the 35 U.S.C. § 285 motion.

Accordingly, the Notice of Motion Setting [Doc. No. 402] is **VACATED**. Plaintiff is directed to file its responses to both motions [Doc. Nos. 399 and 401] no later than September 25, 2019. Defendant may file replies to Plaintiff's responses no later than September 30, 2019.

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